

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Hiram Luis Ducasse, Jr.,

Case No. 22-cv-2565 (WMW/JFD)

Petitioner,

v.

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

Warden LeJune,

Respondent.

Before the Court is the January 13, 2023 Report and Recommendation (R&R) of United States Magistrate Judge John F. Docherty. (Dkt. 7.) The R&R recommends that Petitioner Hiram Luis Ducasse, Jr.'s Petition for a Writ of Habeas Corpus be dismissed without prejudice for failure to prosecute. Ducasse did not file objections to the R&R and the time to do so has passed.

In the absence of timely objections to the R&R, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The January 13, 2023 Report and Recommendation, (Dkt. 7), is **ADOPTED**.

2. Petitioner Hiram Luis Ducasse, Jr.'s, petition for writ of habeas corpus, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 23, 2023

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge